

**UNITED STATES BANKRUPTCY COURT
IN THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:

NEELAM UPPAL

CASE NO: 17-01027-CGM

V.

**GEORGE INDEST,
HEALTHLAW FIRM**

MOTION FOR RE-CONSIDERATION

Debtor, Neelam Uppal ,pro se, files a Motion for re-consideration Pursuant to FRBP 7052, 9053 , Rule 52 (b) and FRCP 59 and states grounds as follows:

1. Mr. George Indest lied to the court that he had served the debtor with a notice of withdrawal on May 5, 2015 , while she was served on May 30, 2017 via email. (See exhibit A)
2. Mr. George Indest filed a false certificate of service that had served the debtor pursuant to Rule 7004 on May 5, 2017.
3. The certificate does not comply with rules such that it does not state where the debtor was served as the debtor was not served.

FILED
U.S. BANKRUPTCY COURT
2017 JUL 14 P 10:21

4. The certificate of service documents only motion and there is no documentation of a 'Notice of withdrawal.' Which is a pre-requisite to filing a motion as per the standard for 9011 sanction. Motion.

There was no such notice done and the Creditor blatantly lied about it and the motion proves that.

5. The motion filed on document 11 was filed on May 30, 2017 for the hearing date of June 1, 2017 and does not state anything about withdrawal, Such that the pro se Debtor could not have presumed withdrawal nor did she have the time or opportunity for the Debtor to withdraw as the case was dismissed on June 1, 2017.
6. Your honor made a mistake by considering the motion as notice and relying on incomplete certificate of service, which pursuant to rule 7004 requires proof of service.
7. Mr. Indest intentially and knowingly lied to deceive the court inviolation of 18 USC 1001.
7. Mr. Indest intentionally lied that he had served the debtor with a "Notice of withdrawal" 21 days prior to filing the motion for sanctions. Thus committing perjury pursuant to 18 U.S.C 1621.
8. Standard for 9011sanction clearly state that if an attorney loses an argument it does not constitute misconduct and is not punishable.

9. The debtor filed opposition to motion for Summary judgement , objection to Judicial notice and Motion for Re-consideration. None of her filings were scanned into the docket, which is a prejudice against the debtor, such the debtor filed the action in good faith . As the State Judgements of Healthlaw firm are on appeal they are not final and the Adversary proceeding pursuant to Rule 7004 (2) and (8) are appropriate objections To the claim.

10. Mr. Indest, once again scammed the debtor for about \$54,000 for filing a motion for summary Judgement based on his fraud in court.


11. Wherefore, the debtor respectfully prays that the 9011 sanctions against the debtor be vacated .

NEELAM UPPAL, PRO SE
DECLARATION

The undersigned Debtor named in the foregoing Motion to Continue Automatic Stay as to All Creditor hereby makes a solemn oath that thatements contained here are true and correct to the best of the Debtor's knowlwdge, information and belief.

Respectfully submitted,

Dated 7/14/17, 2017


NEELAM UPPAL, PRO, SE
1370 Broadway, # 504
New York, NY -10018
PH. - (646)-740-9141
E-mail-

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served
by

on ~~May~~ of July, 2017 to:

TO: all Creditor via email or USPS mail

From: **Tina Mesibov** TMesibov@thehealthlawfirm.com

Subject: **SERVICE OF COURT DOCUMENT - Case No. 17-ap-01027-cgm**

Date: **May 30, 2017, 5:12:55 PM**

To: **nneelu123@aol.com**

Cc: **Tina Mesibov** TMesibov@thehealthlawfirm.com

COURT	United States Bankruptcy Court for the Southern District of New York
CASE NUMBER	17-ap-01027-cgm
PLAINTIFF	Neelam Taneja
DEFENDANT	The Health Law Firm
DOCUMENT(S)	Creditor, The Health Law Firm's and George Indest's Motion for Rule 9011 Sanctions, Attorney's Fees and Costs and Incorporated Memorandum of Law
SENDER	George F. Indest III, Esquire THE HEALTH LAW FIRM Attorney for The Health Law Firm Telephone Number: (407) 331-6620

Please note: This Document was e-filed with the Clerk of the above named Court on this date.

Tina Mesibov
Paralegal/Legal Assistant
The Health Law Firm
1101 Douglas Avenue
Altamonte Springs, FL 32714
Phone: (407) 331-6620
Fax: (407) 331-3030
E-mail: tmesibov@thehealthlawfirm.com



This communication is privileged and confidential. It is intended only for the person(s) to whom it is directed. It may contain information that is sensitive, private and covered by the attorney-client privilege, the attorney work-product privilege, the medical peer review privilege, the medical risk management privilege or other privileges. If you have received this by mistake, please do not read it or copy it. Please delete it immediately and notify the undersigned at the address and telephone number indicated (including your e-mail address so that we may correct any erroneous

information we may have). We do not provide legal advice over the internet or in e-mails, nor will we agree to represent a party through e-mail.

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11-Motion f...nctions.pdf

6.2 MB

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

NEELAM TANEJA,

Debtor/Plaintiff,

**Adversary Proceeding No.:
17-ap-01027-cgm**

**Chapter 13 Case No.:
16-bk-12356-cgm**

vs.

THE HEALTH LAW FIRM,

Creditor/Defendant.

Notice of Hearing

NOTICE OF HEARING

PLEASE TAKE NOTICE that the undersigned will call up for hearing before the
Honorable Cecelia G. Morris the following:

1. Creditor/Defendants The Health Law Firm's and George Indest's Motion for Judicial Notice and Request for Admission of Documents filed May 22, 2017. (Doc. No. 7).
2. Creditor/Defendant's The Health Law Firm's and George Indest's Motion for Summary Judgment and Alternate Motion to Dismiss Neelam Taneja's Adversary Proceeding, filed March 20, 2017. (Doc. No. 3). (Note: already on calendar.)

JUDGE: Honorable Cecelia G. Morris

DATE: June 1, 2017

TIME: 10:15 a.m.

LOCATION: United States Bankruptcy Court
Courtroom 621
1 Bowling Green
New York, New York 10004

This notice is being filed pursuant to the Order entered on May 12, 2017, that all matters be considered at the scheduled hearing.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will automatically serve each party that is a registered CM/ECF user for this adversary proceeding, including Debtor Neelam Taneja Uppal (pro se). I further certify that I have also served a copy of the foregoing via U.S. mail, postage prepaid, to the following: Bankruptcy Trustee Jeffrey L. Sapir, Esquire/Jody L. Kava, Esquire, at 399 Knollwood Road, Suite 102, White Plains, New York 10603, and electronically at info@sapirch13tr.com; I have also served a copy of the foregoing via U.S. mail, postage prepaid, to Debtor Neelam Taneja Uppal (pro se); on this 24th day of May 2017.

/s/ George F. Indest III

GEORGE F. INDEST III, J.D., M.P.A., LL.M.

Florida Bar No.: 382426

(Admitted Pro Hac Vice)

Primary e-mail: GIndest@TheHealthLawFirm.com

Secondary e-mail: CourtFilings@TheHealthLawFirm.com

THE HEALTH LAW FIRM

1101 Douglas Avenue

Altamonte Springs, Florida 32714

Telephone: (407) 331-6620

Telefax: (407) 331-3030

ATTORNEYS FOR CREDITOR/DEFENDANT,

THE HEALTH LAW FIRM, P.A.

Courtesy Copy:

Hon. Cecelia G. Morris

Cornell Law School

U.S. Code › Title 18 › Part I › Chapter 47 › § 1001

18 U.S. Code § 1001 - Statements or entries generally

Current through Pub. L. 114-38. (See Public Laws for the current Congress.)

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

(2) makes any materially false, fictitious, or fraudulent statement or representation; or

(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

(b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to—

(1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or

(2) any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.

(June 25, 1948, ch. 645, 62 Stat. 749; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-292, § 2, Oct. 11, 1996, 110 Stat. 3459; Pub. L. 108-458, title VI, § 6703(a), Dec. 17, 2004, 118 Stat. 3766; Pub. L. 109-248, title I, § 141(c), July 27, 2006, 120 Stat. 603.)

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In Re:

Neelam Taneja,
Debtor.

Adv. Case No - 17-1027CGM

Case No.: 16--12356-jlg
Chapter: 13

v.

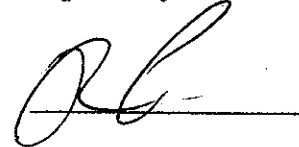
Healthlaw firm
Charlene Rodriguez
George Zudest
_____ /

AFFIDAVIT

Rich Perna, of full age, swears and affirms as follows:

1. I work at 1370, Broadway , 5th floor, New York, N.Y-10018.
2. I am incharge of receiving mail and documents.
3. Dr. Neelam Uppal is a tenant in unit # 504.
4. I did not receive any documents in mail or in person for Dr. Uppal on May 5, 2017 .

Respectfully submitted



DECLARATION

The undersigned Debtor named in the foregoing Motion to Continue Automatic Stay as to All Creditor hereby makes a solemn oath that thatements contained here

are true and correct to the best of the Debtor's knowlwdge, information and
belief.

Respectfully submitted,

Date: 7-14-0017

A handwritten signature, possibly reading "ORR", is written over a horizontal line.




**1370 Broadway
NEW YORK, NY-10018
PH.-**

Rich Perna

Penn Station General Manager

1370 Broadway
5th Floor
New York, NY 10018

D (646) 380-1996
P (212) 300-3494
C (631) 806-4322

  @jaysuites
 /jaysuites

Rich@jaysuites.com
www.jaysuites.com

JAY
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